

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

THE HIPSAVER COMPANY, INC.,  
Plaintiff / Counterclaim Defendant,  
  
v  
  
J.T. POSEY COMPANY,  
Defendant / Counterclaim Plaintiff.

**HIPSAVER'S ASSENTED-TO MOTION TO FILE UNDER SEAL  
EXHIBITS 3, 8, 16, 29 & 31**

**TO HIPSAVER’S OPPOSITION TO DEFENDANT J.T. POSEY COMPANY’S  
MOTION FOR SUMMARY JUDGMENT ON PLAINTIFF’S COMPLAINT &  
HIPSAVER’S OPPOSITION TO DEFENDANT J.T. POSEY COMPANY’S  
MOTION FOR PARTIAL SUMMARY JUDGMENT ON ITS COUNTERCLAIM**

Pursuant to Local Rule 7.2 and paragraphs 2.4 and 10 of the parties' Protective Order [D.N. 48], HipSaver moves for an order granting leave to file under seal Exhibits 3, 8, 16, 29 & 31 to HipSaver's Opposition to Defendant J.T. Posey Company's Motion for Summary Judgment on Plaintiff's Complaint, filed concurrently by hand.

As grounds for the motion, HipSaver states that Exhibits 3, 8, 16, 29 & 31 contain material designated by Defendant J.T. Posey as CONFIDENTIAL or CONFIDENTIAL—ATTORNEYS' EYES ONLY.

**CERTIFICATE PURSUANT TO CIVIL LOCAL RULE 7.1**

I hereby certify that on January 5, 6, 7, & 8, 2007, counsel for the parties conferred by telephone and e-mail and that counsel for J.T. Posey assented to this motion.

THE HIPSAVER COMPANY, INC.  
By its Attorneys,

/s/ Courtney M. Quish \_\_\_\_\_

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January 8, 2007

**CERTIFICATE OF SERVICE**

I certify that this document has been filed through the Electronic Case Filing System of the United States District Court for the District of Massachusetts and will be served electronically by the court to the Registered Participants identified in the Notice of Electronic filing.

/s/ Courtney M. Quish \_\_\_\_\_

January 8, 2007

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